

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

LASAIL HAMILTON

Case: 2:21-mj-30258
To : Unassigned
Date : 5/28/2021
Description: CMP USA V SEALED
(kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 18, 2020 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in Possession of a Firearm

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: May 28, 2021

City and state: Detroit, MI



Complainant's signature

Special Agent Todd Monfette, ATF

Printed name and title



Judge's signature

Hon. Curtis Ivy, Jr., U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Todd Monfette, being first duly sworn, hereby depose and state as follows:

INTRODUCTION & AGENT BACKGROUND

1. I make this affidavit from personal knowledge based on the following: my participation in this investigation, including witnessing interviews by myself and/or other law enforcement officers, communications with others who have personal knowledge of the events and circumstances described herein, and information gathered through my training and experience. The information outlined below is for the limited purpose of obtaining a criminal complaint and an arrest warrant. I have not set forth each and every fact I have learned in this investigation.

2. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2017. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations involving the possession and use of firearms, drug trafficking violations, and criminal street gangs.

PURPOSE OF AFFIDAVIT

3. The purpose of this affidavit is to establish probable cause that Lasail HAMILTON a/k/a “Sail” (DOB XX/XX/1992) violated 18 U.S.C. § 922(g)(1) (felon in possession of a firearm) on or about July 18, 2020, in the Eastern District of Michigan.

4. In May of 2020, Affiant reviewed a Computerized Criminal History (CCH) of HAMILTON, which revealed HAMILTON has been convicted of the following felonies:

- 04.15.2015 – Felony weapons – Firearms – Possession by felon to which HAMILTON was found guilty in the 16th Circuit Court, Macomb County, Michigan.
- 04.15.2015 – Misdemeanor – Firearm-Discharge with injury or death to which HAMILTON was found guilty in the 16th Circuit Court, Macomb County, Michigan.
- 06.09.2012 – Felony weapons – Carrying to which Hamilton pled guilty in the 16th Circuit Court, Macomb County, Michigan.
- 11.20.2012 – Felony Home invasion to which HAMILTON pled guilty in the 16th Circuit Court, Macomb County, Michigan.

- 11.20.2012 – Attempt – Misdemeanor – Police Officer –
Assault/Resisting/Obstructing to which HAMILTON plead guilty in
the 16th Circuit Court, Macomb County, Michigan.
- 11.20.2012 – felony stolen property-receiving/concealing - \$1000 or
more but less than \$20,000 to which LASAIL HAMILTON pled
guilty in the 16th Circuit Court, Macomb County, Michigan.

PROBABLE CAUSE

5. In August 2020, Affiant reviewed the Facebook Profile associated with Facebook ID “Sail Numbernine.” Affiant reviewed live videos, photographs, images and videos posted by “Sail Numbernine.” Affiant compared the individual depicted and held out as “Sail Numbernine” to **image 1a**, a Michigan Secretary of State identification photograph of HAMILTON dated July 20, 2018. Affiant identified HAMILTON as the individual depicted in the images and videos and determined that he accessed and utilized the account.



Image 1a

6. On July 18, 2020, Facebook user “Sail Numbernine” posted a video depicting Lasail HAMILTON in possession of silver and black pistol, an unknown amount of suspected United States currency while smoking suspected marijuana (**image 2a**). The silver and black pistol is located in the belt line of HAMILTON’s pants. The below is a screen capture from the video.



Image 2a

7. On September 14, 2020, Facebook user “Sail Numbernine” posted a photograph depicting a silver and black pistol and suspected united states currency (**image 3a**). The photograph contains a suspected handgun with the caption and date and time stamp of “Sail’s Monday, P.M. 01:55:04, Sep 14, 2020.” The pistol depicted is believed to be the same one observed in the above mentioned Facebook video posted on July 18, 2020.



Image 3a

8. On September 25, 2020, your affiant obtained a federal search warrant for HAMILTON’s residence located at 72 Orchard Street, Mount Clemens, MI signed by the Honorable Elizabeth Stafford (18-50629-67).

9. On September 29, 2020, ATF special agents, along with officers from the Detroit Police Department and Macomb County Sheriffs office, executed the abovementioned federal search warrant at 72 Orchard Street, Mount Clemens, MI.

10. Law enforcement found the following item:

- One (1) SCCY, model CPX-2, 9mm pistol, SN: 883810 was recovered in the basement bedroom of the residence (**Image 4a**), which was subsequently identified as HAMILTON's bedroom (further described below).



Image 4a

11. During the above mentioned search warrant at 72 Orchard Street Group Supervisor Joe Nether and Special Agent Marquis Shannon conducted a recorded interview of Linda Hamilton. Linda Hamilton informed agents of the following.

- Linda Hamilton stated Lasail HAMILTON was her grandson and resides with her at 72 Orchard Street in the basement.
- Linda Hamilton stated she does not own any firearms but Lasail HAMILTON did have a gun that he “hid” in the residence.

12. Your affiant compared the above-mentioned Facebook video and photograph depicting a black and silver pistol to the SCCY pistol recovered from 72 Orchard street. Based upon your affiant’s experience, training and knowledge of this case it is believed that the firearms are one in the same.

13. On May 28, 2021, your Affiant contacted Interstate Nexus Expert ATF Special Agent Michael Jacobs. SA Jacobs advised, based upon the description provided, without physically examining the firearm, that the firearm is a firearm as defined under Title 18 United States Code, Section 921 and was manufactured outside of the state of Michigan after 1898, and therefore the firearm had traveled in and affected interstate commerce.

CONCLUSION

14. Based upon the above information, probable cause exists to believe that Lasail HAMILTON, a prior convicted felon, did knowingly and intentionally possess a firearm, to wit: a SCCY, Model CPX-2, 9mm pistol, that firearm having traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm). This violation occurred on or about July 18, 2020, in the Eastern District of Michigan.



Special Agent Todd Monfette
Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn before me or
by reliable electronic means.



Honorable Curtis Ivy, Jr.
United States Magistrate Judge

Dated: May 28, 2021